

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SINCO TECHNOLOGIES PTE LTD.,

Plaintiff,

v.

SINCO ELECTRONICS (DONGGUAN)  
CO. LTD., et al.,

Defendants.

Case No. [17-cv-05517-EMC](#)

**VERDICT FORM**

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**I. TRADEMARK INFRINGEMENT**

1. Has the plaintiff proven by a preponderance of the evidence its trademark infringement claim against the defendants?

a. XingKe

YES \_\_\_\_

NO \_\_\_\_

b. Mr. Tjoa

YES \_\_\_\_

NO \_\_\_\_

c. Mr. Liew

YES \_\_\_\_

NO \_\_\_\_

d. Mr. Ng

YES \_\_\_\_

NO \_\_\_\_

If you answered yes to (a), (b), (c) or (d), please proceed to Question 2.

If you answered no to (a), (b), (c), and (d), please proceed to Question 7.

2. Have the defendants proven by clear and convincing evidence that the plaintiff abandoned its trademark?

YES \_\_\_\_

NO \_\_\_\_

If you answered no, please proceed go Question 3.

If you answered yes, please proceed to Question 7.

3. If you answered yes to Question 1(a), has the plaintiff proven by a preponderance of the evidence that (i) it suffered actual damages caused by XingKe's infringement and/or that (ii) XingKe earned profits that are attributable to the infringement?

YES \_\_\_\_ If yes, please state the amount of damages: \_\_\_\_\_

NO \_\_\_\_

Please proceed to Question 4.

4. If you answered yes to Question 1(b), has the plaintiff proven by a preponderance of the evidence that it is entitled to statutory damages against Mr. Tjoa?

YES \_\_\_\_ If yes, please state the amount of damages: \_\_\_\_\_

NO \_\_\_\_

Please proceed to Question 5.

5. If you answered yes to Question 1(c), has the plaintiff proven by a preponderance of the evidence that it is entitled to statutory damages against Mr. Liew?

YES \_\_\_\_ If yes, please state the amount of damages: \_\_\_\_\_

NO \_\_\_\_

Please proceed to Question 6.

6. If you answered yes to Question 1(d), has the plaintiff proven by a preponderance of the evidence that it is entitled to statutory damages against Mr. Ng?

YES \_\_\_\_ If yes, please state the amount of damages: \_\_\_\_\_

NO \_\_\_\_

Please proceed to Question 7.

**II. PASSING OFF**

7. Has the plaintiff proven by a preponderance of the evidence its passing off claim against the defendants?

a. XingKe

YES \_\_\_\_

NO \_\_\_\_

b. Mr. Tjoa

YES \_\_\_\_

NO \_\_\_\_

c. Mr. Liew

YES \_\_\_\_

NO \_\_\_\_

d. Mr. Ng

YES \_\_\_\_

NO \_\_\_\_

If you answered yes to (a), (b), (c) or (d), please proceed to Question 8.

If you answered no to (a), (b), (c), and (d), please go no further and have the presiding juror sign and date the verdict form below.

7.5. If actual damages have been previously awarded as to Trademark Infringement (Questions 3, 4, 5 or 6), please proceed to Question 8. If actual damages have not been awarded as to Trademark Infringement, what actual damages were suffered by plaintiff, if any, caused by each Defendant for passing off?

a. XingKe: please state the amount of damages: \_\_\_\_\_

b. Mr. Tjoa: please state the amount of damages: \_\_\_\_\_

c. Mr. Liew: please state the amount of damages: \_\_\_\_\_

d. Mr. Ng: please state the amount of damages: \_\_\_\_\_

8. If you answered yes to Question 7(a), has the plaintiff proven by clear and convincing evidence that it is entitled to punitive damages against XingKe?

YES \_\_\_\_ If yes, please state the amount of damages: \_\_\_\_\_

NO \_\_\_\_

Please proceed to Question 9.

9. If you answered yes to Question 7(b), has the plaintiff proven by clear and convincing evidence that it is entitled to punitive damages against Mr. Tjoa?

YES \_\_\_\_ If yes, please state the amount of damages: \_\_\_\_\_

NO \_\_\_\_

Please proceed to Question 10.

10. If you answered yes to Question 7(c), has the plaintiff proven by clear and convincing evidence that it is entitled to punitive damages against Mr. Liew?

YES \_\_\_\_ If yes, please state the amount of damages: \_\_\_\_\_

NO \_\_\_\_

Please proceed to Question 11.

11. If you answered yes to Question 7(d), has the plaintiff proven by clear and convincing evidence that it is entitled to punitive damages against Mr. Ng?

YES \_\_\_\_ If yes, please state the amount of damages: \_\_\_\_\_

NO \_\_\_\_

Please have the presiding juror sign and date the verdict form below.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

JURY FOREPERSON